

P28055.A02



Appln. No. 10/541,309

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Kazuhiro KUBO et al.

Group Art Unit: 1615

Appln. No. : 10/541,309

Examiner: Unknown

Filed : July 5, 2005

Confirmation No. 8139

For : PHOSPHOLIPID DERIVATIVE AND METHOD FOR PRODUCING THE
SAME

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop Amendment
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

In accordance with the duty of disclosure under 37 C.F.R. 1.56, 1.97, and 1.98, Applicants hereby bring the following information to the attention of the Examiner, which includes information cited and discussed in the specification, the International Search Report, and the International Preliminary Examination Report issued in connection with International Application No. PCT/JP2003/015969, which the present application is the national stage. Copies of the International Search Report (in English and Japanese), and the International Preliminary Report on Patentability (in Japanese) were enclosed with the papers when entering the National Stage on July 5, 2005. An English translation of the International Preliminary Report on Patentability is being enclosed herewith. The Examiner is invited to review these materials to inspect the relevance indicated during international examination with respect to the documents cited therein.

Harish M. PATEL et al., "Inhibitory Effect on Cholesterol on the Uptake of Liposomes by Liver and Spleen", *Biochimica et Biophysica Acta*, Vol. 761, pp. 142-151 (1983), which is cited in the specification beginning on page 1;

Carsten F. GOTFREDSEN et al., "Disposition of Intact Liposomes of Different Compositions and of Liposomal Degradation Products", *Biochemical Pharmacology*, Vol. 32, No. 22, pp. 3381-3387 (1983), which is cited in the specification beginning on page 1;

Pharmaceutical Society of Japan, 106th Annula Meeting, Summaries of Symposia, pp. 336 (1986), which is cited in the specification beginning on page 2;

T.M. ALLEN et al., "Large Unilamellar Liposomes with Low Uptake into the Reticuloendothelial System", *FEBS Letter*, Vol. 223, No. 1, pp. 42-46 (1987), which is cited in the specification beginning on page 2;

JP 63-221837, accompanied by an English language abstract, which is cited in the specification beginning on page 2;

Alexander L. KLIBANOV et al., "Amphipathic Polyethyleneglycols Effectively Prolong the Circulation Time of Liposomes", *FEBS Letter*, Vol. 268, No. 1, pp. 235-237 (1990), which is cited in the specification beginning on page 2;

Shingo NIIMI et al., "Effects of Glucocorticoids on Deoxyribonucleic Acid (DNA) Synthesis Stimulated by Growth Factors in Cultured Rat Skin Fibroblasts", *Chem. Pharm. Bul.*, Vol. 238, No. 6, pp. 1633-1638 (1990), which is cited in the specification beginning on page 2;

Yong Serk PARK et al., "Some Negatively Charge Phospholipid Derivatives Prolong the Liposome Circulation in Vivo", *Biochimica et Biophysica Acta*, Vol. 1108, pp. 257-260 (1992), which is cited in the specification beginning on page 2;

JP 6-228012, accompanied by an English language abstract, which is cited in the specification beginning on page 2;

JP 2002-522442, accompanied by an English language abstract, and family member WO 00/08031; and

U.S. Patent No. 6,344,576.

Applicants also bring to the attention of the Examiner:

U.S. Patent No. 5,173,219;

US 5,395,619 A, and family member U.S. Patent No. 5,631,018;

JP 2-163108, accompanied by an English language abstract;

JP 7-242680, accompanied by an English language abstract.

JP 7-268038, accompanied by an English language abstract;

JP 9-225740, accompanied by an English language abstract;

WO 99/09955 A1, and family member U.S. Patent No. 6,436,905;

WO 00/33817 A1;

WO 01/05375 A1;

WO 01/74400 A1, accompanied by family member EP 1 279 406 and U.S. Patent Application Publication No. 2003/0144247;

EP 0 373 621 A2, and family member U.S. Patent No. 5,142,036;

EP 0 657 463 A1, and family member U.S. Patent No. 5,540,935; and

Database WPI, Section Ch, Week 199546, Derwent Publications Ltd., London, GB, Class A96, AN 1995-355265, XP002354282; accompanied by family member JP 07-242680 A.

T. YUDA et al., Biological and Pharmaceutical Bulletin, Vol. 19, No. 10, pp. 1347-1351, 1996;

R. ZEISIG et al., Biochimica et Biophysica Acta, Vol. 1285, No. 2, pp. 237-245, 1996;
and

T.M. ALLEN et al., Biochimica et Biophysica Acta, Vol. 1061, No. 1, pp. 56-64, 1991.

Applicants also bring to the attention of the Examiner commonly assigned copending applications:

U.S. Patent Application No. 10/549,630, which published as US. Patent Application Publication No. 2007/0031481 A1, which is the national stage of International Application No. PCT/JP2004/003789, filed March 19, 2004, which published as WO 2004/083219, on September 30, 2004;

U.S. Patent Application No. 10/529,692, which published as US. Patent Application Publication No. 2006/0110436 A1, which is the national stage of International Application No. PCT/JP2003/12502, filed September 30, 2003, which published as WO 2004/029104 A1, on April 8, 2004; and

U.S. Patent Application No. 10/508,704, which published as US. Patent Application Publication No. 2005/0220856 A1, which is the national stage of International Application No. PCT/JP03/03966 A1, filed March 28, 2003, which published as WO 03/082882 A1, on October 9, 2003.

In accordance with 37 C.F.R. 1.98, copies of the U.S. Patents and U.S. Patent Application Publications are not enclosed herewith. However, if a copy is needed, the Examiner is respectfully requested to contact the undersigned.

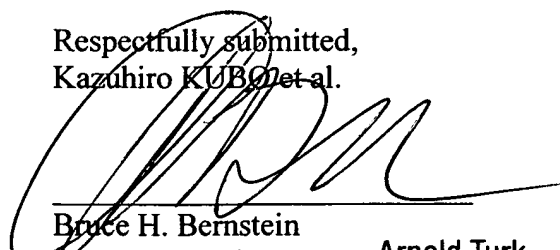
Copies of the above-noted documents, except for the U.S. Patents and U.S. Patent Application Publications, are enclosed together with a duly completed Form PTO-1449. The Examiner is accordingly requested to consider each of these documents, and to make them of record in this application by initialing in the appropriate spaces on the Form PTO-1449. Applicants respectfully request that the Examiner include a copy of the initialed Form PTO-1449 with the next communication from the U.S. Patent and Trademark Office.

Applicants note that while this Information Disclosure Statement is being filed more than three months from the filing date, Applicants have not received an action on the merits from the U.S. Patent and Trademark Office. Accordingly, consideration of the enclosed document is required under 37 C.F.R. 1.97(b)(3).

However, if an action on the merits has been mailed prior to the filing date of this Information Disclosure Statement, Applicants hereby authorize the charging of any required fees necessary for consideration of the documents cited herein to Deposit Account No. 19-0089.

Should there be any questions, the Examiner is invited to contact the undersigned at the below listed telephone number.

Respectfully submitted,
Kazuhiro KUBOTA et al.



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FORM PTO-1449

MAR 29 2007

U.S. Department of Commerce
Patent and Trademark OfficeAtty. Docket No.
P28055Application No.
10/541,309INFORMATION DISCLOSURE STATEMENT
BY APPLICANT
(Use several sheets if necessary)Applicant
Kazuhiro KUBO et al.Filing Date
July 5, 2005Group
1615

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		5 1 4 2 0 3 6	08/25/92	AKIMOTO et al.			
		5 1 7 3 2 1 9	12/22/92	KIM			
		5 3 9 5 6 1 9	05/07/95	ZALIPSKY et al.			
		5 5 4 0 9 3 5	07/30/96	MIYAZAKI et al.			
		5 6 3 1 0 1 8	05/20/97	ZALIPSKY et al.			
		6 3 4 4 5 7 6	02/05/02	EIBL			
		6 4 3 6 9 0 5	08/20/02	TONGE et al.			
	2003/	0 1 4 4 2 4 7	07/31/03	KUWANO et al.			
	2005/	0 2 2 0 8 5 6	10/06/05	ITOH et al.			
	2006/	0 1 1 0 4 3 6	05/25/06	OHASHI et al.			
	2007/	0 0 3 1 4 8 1	02/08/07	ITOH et al.			

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	63	- 2 2 1 8 3 7	09/14/88	JAPAN			
	2	- 1 6 3 1 0 8	06/22/90	JAPAN			
	6	- 2 2 8 0 1 2	08/16/94	JAPAN			
	7	- 2 4 2 6 8 0	09/19/95	JAPAN			
	7	- 2 6 8 0 3 8	10/17/95	JAPAN			
	9	- 2 5 5 7 4 0	09/30/97	JAPAN			
	2002	- 5 2 2 4 4 2	07/23/02	JAPAN			
		0 3 7 3 6 2 1	06/20/90	EPO			
		0 6 5 7 4 6 3	06/14/95	EPO			
		1 2 7 9 4 0 6	01/29/03	EPO			
	99	/ 0 0 9 9 5 5	03/04/99	WIPO			
	00	/ 0 0 8 0 3 1	02/17/00	WIPO			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	English language abstract of JP 63-221837, published September 14, 1988
	English language abstract of JP 2-163108, published June 22, 1990
	English language abstract of JP 6-228012, published August 16, 1994
	English language abstract of JP 7-242680, published September 19, 1995
	English language abstract of JP 7-268038, published October 17, 1995
	English language abstract of JP 9-255740, published September 30, 1997
	English language abstract of JP 2002-522442, published July 23, 2002

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449		U.S. Department of Commerce Patent and Trademark Office		Atty. Docket No. P28055		Application No. 10/541,309	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)				Applicant Kazuhiro KUBO et al.			
				Filing Date July 5, 2005		Group 1615	
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	00	/ 0 3 3 8 1 7	06/15/00	WIPO			
	01	/ 0 7 4 4 0 0	10/11/01	WIPO			
	01	/ 0 0 5 3 7 5	01/25/01	WIPO			
	03	/ 0 8 2 8 8 2	10/09/03	WIPO			
	2004	/ 0 2 9 1 0 4	04/08/04	WIPO			
	2004	/ 0 8 3 2 1 9	09/30/04	WIPO			
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
		Harish M. PATEL et al., "Inhibitory Effect on Cholesterol on the Uptake of Liposomes by Liver and Spleen", Biochimica et Biophysica Acta, Vol. 761, pp. 142-151 (1983)					
		Carsten F. GOTFREDSEN et al., "Disposition of Intact Liposomes of Different Compositions and of Liposomal Degradation Products", Biochemical Pharmacology, Vol. 32, No. 22, pp. 3381-3387 (1983)					
		Pharmaceutical Society of Japan, 106 th Annula Meeting, Summaries of Symposia, pp. 336 (1986)					
		T.M. ALLEN et al., "Large Unilamellar Liposomes with Low Uptake into the Reticuloendothelial System", FEBS Letter, Vol. 223, No. 1, pp. 42-46 (1987)					
		Alexander L. KLIBANOV et al., "Amphipathic Polyethyleneglycols Effectively Prolong the Circulation Time of Liposomes", FEBS Letter, Vol. 268, No. 1, pp. 235-237 (1990)					
		Shingo NIIMI et al., "Effects of Glucocorticoids on Deoxyribonucleic Acid (DNA) Synthesis Stimulated by Growth Factors in Cultured Rat Skin Fibroblasts", Chem. Pharm. Bul., Vol. 38, No. 6, pp. 1633-1638 (1990)					
		Yong Serk PARK et al., "Some Negatively Charge Phospholipid Derivatives Prolong the Liposome Circulation in Vivo", Biochimica et Biophysica Acta, Vol. 1108, pp. 257-260 (1992)					
		Database WPI, Section Ch, Week 199546, Derwent Publications Ltd., London, GB, Class A96, AN 1995-355265, XP002354282; accompanied by family member JP 07-242680 A.					
		T. YUDA et al., Biological and Pharmaceutical Bulletin, Vol. 19, No. 10, pp. 1347-1351, 1996					
		R. ZEISIG et al., Biochimica et Biophysica Acta, Vol. 1285, No. 2, pp. 237-245, 1996					
		T.M. ALLEN et al., Biochimica et Biophysica Acta, Vol. 1061, No. 1, pp. 56-64, 1991					
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